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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,770	09/30/2003	Barrett Morris Kreiner	BS030265 (03-BS022)	4441

7590
Scott P. Zimmerman
P.O. Box 3822
Cary, NC 27519

02/09/2007

EXAMINER

WONG, ALLEN C

ART UNIT	PAPER NUMBER
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2621

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/674,770

Applicant(s)

KREINER ET AL.

Examiner

Allen Wong

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 9/30/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1/26/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1-9, 11-18 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Parnian (6,538,623).

Regarding claims 1 and 12, Parnian discloses a method and a video recorder, comprising:

a processor communicating with memory, the memory for storing video data of an event captured by a camera, the video data comprising a series of picture frames (col.9, ln.7-19, note in fig.2 the use of a CPU for processing data and communicating with memory stored in element 22, 51 and 52, and video data is captured by video camera 35a);

a loop buffer also storing video data of the event captured by the camera (fig.3, element 132); and

a set of rules stored in the memory, the set of rules determining when to transfer the contents of the loop buffer into the memory (fig.2, element 22 stores rules for determining when transfer of contents in event log 132; col.18, ln.41-50),

wherein the video recorder utilizes the loop buffer to provide video data preceding the event (fig.3, note scene log 120, event log 132, photo log 126, etc. contain time-date stamps to check for preceding events as seen in fig.4a-4g for scanning through past cases, crime scenes, crime locations, evidence, photos, etc. to provide video data preceding the event).

Regarding claims 2, 3, 13 and 14, Parnian discloses wherein the memory comprises a mass-storage device, the mass storage device storing the video data of the event (fig.2, element 51 and 52).

Regarding claims 4, 5 and 15, Parnian discloses wherein the memory comprises a memory card (fig.2, element 53).

Regarding claims 6 and 16, Parnian discloses further comprising an interface to a communications network (fig.2, element 90).

Regarding claims 7, Parnian discloses wherein the set of rules specifies vehicular data that causes a transfer of the contents of the loop buffer into the memory devices memory (fig.3, note vehicular data can be stored in a variety of sections, ie. element 102, 108, 144, etc.).

Regarding claims 8, 11, 17 and 20, Parnian discloses further comprising a switch to transfer the contents of the loop buffer into the memory (fig.2, element 22 stores rules for determining when transfer of contents in event log 132; col.18, ln.41-50).

Regarding claims 9 and 18, Parnian discloses wherein the loop buffer also stores audio data of the event captured by a microphone (fig.3, element 103).

Regarding claim 10, Parnian discloses further comprising an interface with a vehicle controller to transfer the contents of the loop buffer into the memory.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 10 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parnian (6,538,623) in view of Shamosh (5,144,661).

Regarding claims 10 and 19, Parnian does not specifically disclose interfacing with a vehicle controller to transfer video data of the event. However, Shamosh teaches interfacing with a vehicle controller to transfer video data of the event (note fig.1, modem 30 within the vehicular security system of fig.3 is utilized to establish interfacing for transferring video data of event captured by video/audio recording unit 24). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Parnian and Shamosh, as a whole, for providing an accurate, cost-effective, efficient, robust way of recording audio/visual data in surveillance applications (Shamosh col.1, ln.49-55).

Contact Information

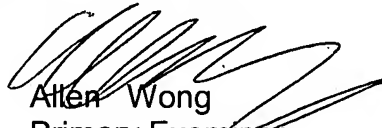
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen Wong whose telephone number is (571) 272-7341.

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The examiner can normally be reached on Mondays to Thursdays from 8am-6pm
Flextime.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James J. Groody can be reached on (571) 272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Allen Wong
Primary Examiner
Art Unit 2621

AW
2/5/07